

Minutes
Nevada State Emergency Response Commission
Policy Committee
Professional Engineers and Land Surveyor's State Board Room
1755 E. Plumb Lane, Suite 130
Reno, NV

October 10, 2006

Members Present

Jim O'Brien, Chair
Larry Farr
Jim Reagan

Members Absent

Tom Porta

Staff

Karen Kennard
Suzanne Adam

I. Call to Order

Jim O'Brien called the meeting to order at 9:03 a.m.

II. Introductions

Members and staff introduced themselves as shown above. A quorum was present.

III. *Approval of June 14, 2006 meeting minutes

Larry Farr made a motion to approve the June 14, 2006 meeting minutes.
Jim Reagan seconded the motion which was approved unanimously.

IV. Old Business

A. *Discussion/Recommendation on possible revision to SERC policy 8.2, "Grant Application, Grant Awards", requiring SERC grant funded radio purchases be compliant with Nevada Communication Interoperability Plan

Karen Kennard advised the Policy Committee discussed this issue at its last meeting. It was also discussed at the SERC meeting on July, 13, 2006 and referred to the Policy Committee to develop a policy.

A discussion ensued about the wording for revisions to Policy 8.2. Mr. Farr made a motion to recommend the wording for Policy 8.2, Policy section, A.1.a., be "Radio communication equipment requested must conform with the Nevada Communication Interoperability Plan". Mr. Reagan seconded the motion which was approved unanimously. Ms. Kennard recommended implementing this language into Policy 8.2a, License Plate Funding Grant Application, Grant Awards as well.

B. *Discussion/Recommendation on possible revision to SERC policy 8.2, “Grant Application, Grant Awards”, regarding SERC grant funded purchases of satellite phones and fee for monthly service

Ms. Kennard stated Policy 8.2 included adding the satellite phone service to the list of operational expenses allowed. Ms. Kennard advised it should be up to the Planning and Training and the Funding Committees to determine whether the purchase of satellite phones is an appropriate expenditure in a grant.

Mr. Farr made a motion to recommend approval of adding satellite phone service charges to the acceptable operational cost. Mr. Reagan seconded the motion which was approved unanimously.

Item C will be revisited later in the meeting.

D. *Discussion/Recommendation on possible revision to SERC Policy 8.2a, “License Plate Funding Grant Application, Grant Awards”, to include grant application evaluation factors and possible development of additional policies regarding United We Stand license plate funding

Mr. O’Brien stated an email was received from Tom Porta, Commissioner, who was unable to attend this meeting. Mr. Porta recommended the following evaluation factors: 1) Threat and potential risk, 2) population number affected and, 3) infra-structure involved. Mr. O’Brien added 4) accomplish some objective for the initiatives contained in the statewide enhancement plan. A discussion ensued about these evaluation factors.

Mr. Reagan made a motion to recommend for approval to add the following evaluations factors for funding grant applications in Policy 8.2a, Policy section, B.: 1) threat and risk potential, 2) population, 3) infrastructure and 4) in support of the State’s Enhancement Plan for Homeland Security. Mr. Farr seconded the motion. A discussion ensued. Mr. Reagan amended his motion and deleted “population” as one of the criteria as it is included in the first criteria. Mr. Farr seconded the motion which was approved unanimously.

V. New Business

A. *Discussion/Recommendation on possible revision to SERC Policy 8.1, “Hazardous Materials Response Plan and Exercises”, to require submission of a completed National Response Team (NRT-1) form along with updated hazardous materials emergency response plans filed by Local Emergency Planning Committees (LEPCs)

Mr. O’Brien advised this revision was intended to simplify matters for the Planning and Training Subcommittee when evaluating the plans. Ms. Kennard added the Planning and Training Subcommittee requested the Policy Committee incorporate requiring submission of a completed NRT-1 in Policy 8.1.

A discussion ensued regarding section A.1.a., taking into consideration the agenda items B and C.

Mr. Reagan made a motion to recommend approval of proposed changes to Policy 8.1, sections A.1.a. and b to include submission of NRT-1 form with hazardous materials emergency response plan updates; require annual updates of plan; and require annual submission of an updated LEPC questionnaire. Mr. Farr seconded the motion which was approved unanimously.

- B. *Discussion/Recommendation on possible revision to SERC Policy 8.1, “Hazardous Materials Response Plan and Exercises”, to require annual LEPC update to hazardous materials emergency response plans to include, but not limited to, changes to contact information, equipment lists, and/or training and exercise schedule**

The motion for Item A in New Business also applies to Item B.

- C. *Discussion/Recommendation on possible revision to SERC Policy 8.1, “Hazardous Materials Response Plan and Exercises”, to require annual submission of updated LEPC Level of Response questionnaire**

The motion for Item A in New Business also applies to Item C.

- D. *Discussion/Recommendation on possible revision to SERC Policy 8.2, “Grant Application, Grant Awards”, to eliminate the requirement of a denial letter from State Fire Marshal’s Office when the training requested is provided by attendance at a conference**

Mr. Farr made a motion to recommend approval of changes in Policy 8.2 to include “other than for conferences” in sections A.1.a. and A.1.b. Mr. Reagan seconded the motion which was approved unanimously.

- E. *Discussion/Recommendation on possible revision to SERC Policy 8.2a, “License Plate Funding Grant Application, Grant Awards”, to eliminate the requirement of a denial letter from the Nevada Division of Emergency Management when the training requested is provided by attendance at a conference**

Mr. Reagan made a motion to recommend approval of changes in Policy 8.2a, Policy section, A.1.a. to add “other than for conferences”. Mr. Farr seconded the motion which was approved unanimously.

- F. *Discussion/Recommendation on possible revision to SERC Policy 8.2a, “License Plate Funding, Grant Application, Grant Awards”, to require the submission of LEPC meeting minutes approving the grant application request**

Mr. Reagan made a motion to recommend approval of the changes to Policy 8.2a, Procedures section, A. to add the sentence “A copy of the LEPC

meeting minutes approving said request will accompany the grant application”. Mr. Farr seconded the motion which was approved unanimously.

G. *Discussion/Recommendation on possible development of policy to provide reasonable interpretation of “combat terrorism” as used in NRS 459.735, 4

Ms. Kennard stated this was discussed both in the Funding Committee meeting and the SERC meeting. The SERC recommended the Policy Committee develop a policy and/or work with the Attorney General’s Office. Mr. O’Brien advised the criteria would be identified and the interpretation would fall under the umbrella of the State Enhancement Plan for Homeland Security. A discussion ensued.

Mr. Reagan made a motion to recommend for approval the phrase “as outlined in the State’s Enhancement Plan for Homeland Security” be added to Policy 8.2a, Principle section, after the word “terrorism”. Mr. Farr seconded the motion. A discussion ensued. Mr. Reagan amended his motion to add changing Policy section A.1. and Procedures section A. to add the same phrase after the word “terrorism”. Mr. Farr seconded the motion which was approved unanimously.

H. *Discussion/Recommendation on possible development of policy to establish criteria to determine state agency eligibility to receive grant funds from the SERC

A discussion ensued regarding the lack of criteria to determine State agency eligibility to receive grant funds.

Mr. O’Brien stated, from the local government perspective, local government depends on the State to support them during a time of disaster. The Department of Homeland Security conducted a survey and found there was a lack of continuity of operations plans for state and local agencies.

The Committee discussed the following as possible criteria for State agencies applying for grant funds:

- 1) Department Head shall sign and prioritize all applications submitted by that Department
- 2) Participate in an emergency plan exercise annually
- 3) Allow up to 20% of available funds for State agencies
- 4) Require participation in a LEPC and/or attendance at SERC meetings
- 5) Identify which emergency plan the State agency operates under and its role in that plan
- 6) Identify the State agency’s role within the State Comprehensive Emergency Management Plan

- 7) Outline how their request benefits SARA Title III or the Homeland Security Enhancement Plan
- 8) Complete the Level of Response Questionnaire, as applicable
- 9) Ensure the grant application falls under State Enhancement Plan for Homeland Security.

The Committee recommended the following criteria be added to Policy 8.2a regarding applications submitted by State agencies for United We Stand license plate funding:

- 1) Department Head shall sign and prioritize all applications submitted by that Department
- 2) Identify which emergency plan the State agency operates under and its role in that plan
- 3) Identify the State agency's role within the State Comprehensive Emergency Management Plan
- 4) Complete the Level of Response Questionnaire, as applicable

The Committee further discussed criteria to be applied to State agencies when applying for SERC or HMEP funding pursuant to Policy 8.2. It was suggested agencies may apply for funding under an NRT-1 compliant plan regardless of jurisdiction. The agency may partner with a LEPC or submit under the State's hazardous materials emergency response plan. The Committee will continue to develop criteria for the funding of State agencies.

Mr. Reagan made a motion to recommend approval of clarification and grammar changes to the language as put forth by SERC staff for Policies 8.1, 8.2 and 8.2a. Mr. Farr seconded the motion which was approved unanimously.

Item C of Old Business revisited

C. *Discussion/review/Recommendation regarding enforcement of compliance with policy imposed deadlines

Ms. Kennard advised LEPCs are not observing policy deadlines. There were discussions as to the incentive to meet deadlines when LEPCs that consistently do not are provided additional time for compliance.

Mr. Farr stated contingency issues such as meetings, minutes, and publications are administrative. It was suggested grant awards be allowed one extension of time contingency and be deobligated if the contingency is not met. He recommended some leeway be allowed on administrative compliance.

It was suggested to document when LEPCs miss deadlines and factor that information into the next year's funding decisions.

Mr. Reagan stated he did not want this to become a matter of micro-managing and that it was a procedure and enforcement issue. Mr. Reagan suggested SERC co-chairs send an admonishment letter to the county manager and LEPC chair reiterating SERC policy deadlines and failure to comply would severely limit the LEPC's capability of receiving future funding.

Ms. Kennard stated LEPCs missing deadlines does not impact the SERC's ability to meet its required financial reporting however, it does violate NAC.

It was suggested a policy be developed stating every time LEPCs do not comply, the amount of its grant will be reduced. It was suggested a compliance report be given during SERC meetings indicating which LEPCs have met all of their reporting requirements and which LEPCs have not. Discussion ensued regarding possible changes to deadline requirements in NAC.

Mr. O'Brien stated these issues need to be put on the next SERC meeting agenda for discussion.

VI. Public Comment

There was no public comment.

VII. *Adjournment

Mr. Reagan made a motion the meeting be adjourned at 11:20 a.m.